GATES & COOPER

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that my residence, post office address and cinzenship are as stated below next to my name, that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled.

STRESS PROTEIN COMPOSITIONS AND METHODS FOR PREVENTION AND TREATMENT OF CANCER AND INFECTIOUS DISEASE

i. 🛛 is attached hereto			
was filed on and wa United States patent.	as United States Application N s amended on (if ap	umber or PCT International oplicable), which I have review	Application Number wed and for which I solicit a
I hereby state that I have re	eviewed and understand the content amendment referred to above.	, of the above-identified spec	cification, including the
I acknowledge the duty to o with Title 37, Code of Fede	disclose information which is mater eral Regulations, § 1-56 (artisched he	al to the patentability of this reto).	application in accordance
application(s) for patent or	niy benefits under Title 35, United inventor's certificate or 365(a) of a United States of America, listed be tificate or any PCT application havid.	ny PCT internanonal applicat low and have also idennfied l	below any foreign application
a. no such applications b. such applications ha	ive been filed as follows:		
FOREIGN A	PPLICATION(S), IF ANY, CLA	LIMING PRIORITY UND	ER 35 USC § 119
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
OTHER FORSICN	APPLICATION(S), IF ANY, FIL	ED BEFORE THE PRIC	RITY APPLICATION(S)
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or 365(c) of any PCT international application(s) designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose

The specification of which:



material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application

U.S. PARENT APPLICATION OR PCT PARENT NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abundoned)

I hereby claim the benefit under Title 35. United States Code § 119(e) of any United States provisional application(s) listed below

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)
60/156,821	30 SEP 99
60/163,168	02 NOV 99
60/215,497	30 JUN 00

I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

George H. Gates	Registration No. 33,500
Victor G. Cooper	Registration No. 39,641
Kaien S Canady	Registration No. 39,927
William J. Wood	Registration No 42,236
Jason S. Feldmar	Registration No. 39,187

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Gates & Cooper to the contrary

Please direct all correspondence in this case to the firm of Gates & Cooper at the address indicated below

GATES & COOPER
Howard Hughes Center
6701 Center Drive West, Suite 1050
Los Angeles, CA 90045

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application of any patent issued thereon



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		0 1 1	First Given Name	Second Given Name
1	Pull Name	Family Name	•	R.
	Of Inventor	Subjeck	John	1
}	P	City	State or Foreign Country	Country of Citizenship
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				Date:
Sign	rature of Invento			
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	Residence	City	State or Foreign Country	Country of Citizenship
	& Citizenship	Scanle	Washington	USA
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Date			Date: 8/29/OC	
(2)	Full Name	Family Name	First Given Name	Second Given Name
(3)	Of Inventor	Repasky	Elizabeth	A
	Of Intentor	Repassy		
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	& Citizenship	Williamsville	New York	USA
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Signature of Inventor(3):			Date:	
-45				
(4)	Full Name	Family Name	First Given Name	Second Given Name
(4)	Of Inventor	Kazun	Lauf	
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	& Citizenship	Amherst	New York	Trinidad and Tobago
	Post Office	Post Office Address	City	State & Zip Code/Country
	Address	41 Stonecroft Lane	Amherst	New York 14226/USA
Sie	nature of Invent			Date:
-7.6				
(5)	Full Name	Family Name	First Given Name	Second Given Name
ردا	Of Inventor	Wang	Xiang-Yang	
	J			
	Residence	City	State or Foreign Country	Country of Citizenship
	& Citizenship	F . T	New York	Peoples' Republic of Chura
	Post Office	Post Office Address	City	State & Zip Code/Country
	Address	150 N. Pearl Street	Buffalo	New York 14202/USA
<u> </u>	nature of Inven			Date:
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§ 1.56 Duty to disclose information material to patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submitt information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability of any claim issued in a patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner presented by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office encourages applicants to carefully examine:
 - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
 - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
 - (1) it establishes, by itself or in combination with other information, a prima facile case of unparentability of a claim, or
 - (2) it refutes, or is inconsistent with, a position the applicant takes in:
 - (i) opposing an argument of unpatentability relied on by the Office, or
 - (ii) asserting an argument of patentability

A prima facte case of unparentability is established when the information compels a conclusion that a claim is unparentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an arrempt to establish a contrary conclusion of parentability.

- (c) ludwiduals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) each inventor named in the application:
 - (2) each attorney or agent who prepares or prosecutes the application; and
 - (3) every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.





GATES & COOPER

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

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The specification of wh	uch:		
a. X is attached hereto	o		
	2s United States Application N I was amended on (if a		
	ve reviewed and understand the conten any amendment referred to above.	ts of the above-identified sp	ecification, including the
	to disclose information which is mate. Federal Regulations, § 1.56 (attached he	=	s application in accordance
application(s) for paters one country other than	priority benefits under Title 35, United at or inventor's certificate or 365(a) of a the United States of America, listed be certificate or any PCT application have med:	ny PCT international applica- low and have also identified	ation which designated at least below any foreign application
a. 🛛 no such application	ions have been filed. s have been filed as follows:		
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(day, month, year)

(G&C G&C 126.1-U\$-U3)

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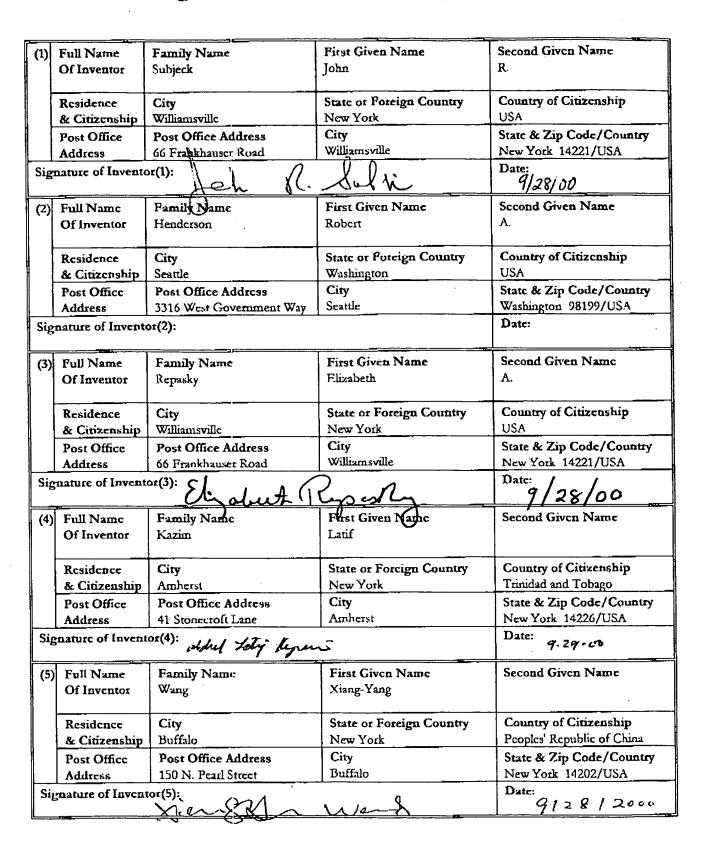
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Karen S. Canady	Registration No. 39,927
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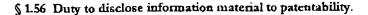
I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignce/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Gates & Cooper to the contrary.

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GATES & COOPER Howard Hughes Center 6701 Center Drive West, Suite 1050 Los Angeles, CA 90045

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 - (2) each attorney or agent who prepares or prosecutes the application; and
 - (3) every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.